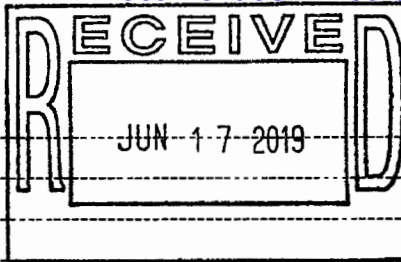


Charles Talbert
7901 State Road
Phila, PA. 19136



June 8, 2019
FILED

United States District Court
Eastern District of Pennsylvania

JUN 17 2019

Charles Talbert v. Plaintiffs Opposition In Response
Blanche Carney, et al. To Defendants Reply To Show Cause

KATE CARNEY, Clerk
MAK Dep. Clerk

Pro se Plaintiff, Charles Talbert, hereby files this opposition in response to Defendants memorandum of law in response to this Honorable Courts Order to show cause, and in support thereof, avers the following:

1. Plaintiff Still Deprived Of Outdoor Recreation And Physical Exercise

On or about June 4, 2019, the Defendants responded to the Courts Order to show cause. Despite the mere fact that both Pennsylvania Code Title 37, Chpt. 95, section 95.238, and Phila. Dept. of Prison Policy 3E2 allots those in segregation one-hour out of their cell, both State Law and Prison Policy directs prison staff to provide inmates in segregation one-hour of both outdoor recreation [and] physical exercise. This law and policy is straightforward, and specific, informing the reader that inmates in segregation are therefore required to have access to an outside yard, capable of moving the upper and lower limbs without restraint. However, Major Pierre Lacombe, at the motion hearing, clearly stated on record, that inmates in segregation have basketball courts with full access thereto during their one-hour out of their cell. To this extent, the Defendants still has shown non-compliance to State law and policy, since Plaintiffs limbs are still being restricted from adequate physical movement to run and play with the basketball.

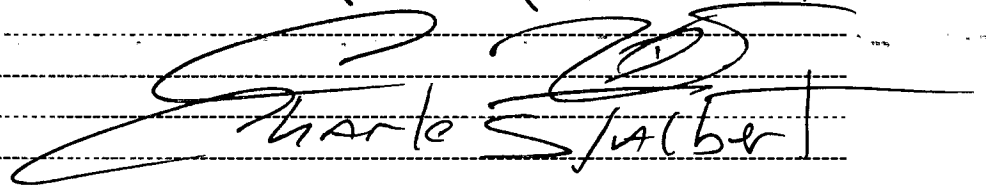
Conclusion

WHEREFORE, Plaintiff respectfully requests for the

Court to Deny Defendants Show Cause, due to their intentional noncompliance with State Law and Prison Policy, and that the Court direct the Commissioner, Blanche Carney, to provide Plaintiff and all segregated inmates access to the outdoor yard with the ability to run and play with the basketball for one-hour.

6/8/19

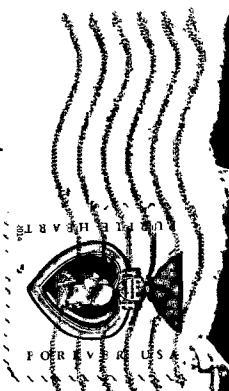
Respectfully submitted,


Charles S. Albert

C. T. A. Hest
Philadelphia Department of Prisons
Philadelphia, PA 19136
PPN 810247

PHILADELPHIA, PA 19101

10 JUN 2019 PM 9:1



Hon. Judge Mack A. Keane
U.S. Courtroom 6B
601 Market Street
Philadelphia, PA 19106

19106-174899

